

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division DIVISION

In re: CUNNINGHAM, JOSHUA ALLEN § Case No. 17-10253
CUNNINGHAM, AMY JASURDA §
§
§
§
Debtor(s)

CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)

Richard M. Fogel, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

| | |
|---|--|
| Assets Abandoned: <u>\$78,943.00</u> <i>(without deducting any secured claims)</i> | Assets Exempt: <u>\$24,468.00</u> |
| Total Distributions to Claimants: <u>\$70,868.16</u> | Claims Discharged Without Payment: <u>\$96,196.00</u> |
| Total Expenses of Administration: <u>\$19,631.84</u> | |

3) Total gross receipts of \$90,500.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$90,500.00 from the liquidation of the property of the estate, which was distributed as follows:

| | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|---|---------------------|---------------------|---------------------|--------------------|
| SECURED CLAIMS (from Exhibit 3) | \$187,717.00 | \$57,581.55 | \$57,581.55 | \$57,581.55 |
| PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4) | \$0.00 | \$19,631.84 | \$19,631.84 | \$19,631.84 |
| PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5) | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| PRIORITY UNSECURED CLAIMS (from Exhibit 6) | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| GENERAL UNSECURED CLAIMS (from Exhibit 7) | \$207,878.00 | \$136,051.76 | \$33,629.61 | \$13,286.61 |
| TOTAL DISBURSEMENTS | \$395,595.00 | \$213,265.15 | \$110,843.00 | \$90,500.00 |

4) This case was originally filed under chapter 7 on 03/31/2017. The case was pending for 12 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 04/03/2018

By: /s/ Richard M. Fogel
Trustee

STATEMENT This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

| DESCRIPTION | UNIFORM TRAN. CODE ¹ | \$ AMOUNT RECEIVED |
|---|------------------------------------|-----------------------|
| Real Property | 1110-000 | \$90,500.00 |
| TOTAL GROSS RECEIPTS | | \$90,500.00 |
| ¹ The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes. | | |

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

| PAYEE | DESCRIPTION | UNIFORM TRAN. CODE | \$ AMOUNT PAID |
|-------|-------------|-----------------------|-------------------|
| | None | | |

EXHIBIT 3 - SECURED CLAIMS

| Claim NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6D) | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--------------|---------------------------|--------------------------|---------------------------------------|--------------------|--------------------|--------------------|
| | Wells Fargo Home Mortgage | 4110-000 | NA | \$57,581.55 | \$57,581.55 | \$57,581.55 |
| N/F | Chase AUTO | 4110-000 | \$33,970.00 | NA | NA | NA |
| N/F | J.B. Robinson Jewelers | 4110-000 | \$1,238.00 | NA | NA | NA |
| N/F | Pncbank | 4110-000 | \$34,620.00 | NA | NA | NA |
| N/F | Wells Fargo HM Mortgag | 4110-000 | \$117,889.00 | NA | NA | NA |
| | TOTAL SECURED | | \$187,717.00 | \$57,581.55 | \$57,581.55 | \$57,581.55 |

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|---|--------------------------|---------------------|--------------------|--------------------|--------------------|
| Trustee, Fees - Richard M. Fogel | 2100-000 | NA | \$7,775.00 | \$7,775.00 | \$7,775.00 |
| Trustee, Expenses - Richard M. Fogel | 2200-000 | NA | \$190.01 | \$190.01 | \$190.01 |
| Costs re Sale of Property (closing costs, etc. not realtor comm.) - CHICAGO TITLE AND TRUST CO fbo JAMES BAILEY | 2500-000 | NA | \$3,253.47 | \$3,253.47 | \$3,253.47 |
| Banking and Technology Service Fee - Rabobank, N.A. | 2600-000 | NA | \$123.25 | \$123.25 | \$123.25 |
| Other State or Local Taxes (post-petition) - CHICAGO TITLE AND TRUST CO fbo JAMES BAILEY | 2820-000 | NA | \$1,636.11 | \$1,636.11 | \$1,636.11 |
| Accountant for Trustee Fees (Other Firm) - Kutchins, Robbins & Diamond, Ltd. | 3410-000 | NA | \$1,224.00 | \$1,224.00 | \$1,224.00 |
| Realtor for Trustee Fees (Real Estate Commissions) - Baird & Warner | 3510-000 | NA | \$2,125.00 | \$2,125.00 | \$2,125.00 |
| Realtor for Trustee Fees (Real Estate Commissions) - Keller Williams Infnit | 3510-000 | NA | \$3,305.00 | \$3,305.00 | \$3,305.00 |
| TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES | | NA | \$19,631.84 | \$19,631.84 | \$19,631.84 |

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|-------|-----------------------|---------------------|--------------------|-------------------|----------------|
| None | | | | | |

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6E) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|--------------|----------|--------------------------|---------------------------------------|---|-------------------|----------------|
| None | | | | | | |

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6F) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|-----------|--|--------------------------|---------------------------------------|---|-------------------|----------------|
| 1 | TD Bank, USA by American InfoSource LP as agent | 7100-000 | \$14,159.00 | \$14,834.34 | \$14,834.34 | \$5,860.85 |
| 2 | Discover Bank Discover Products Inc | 7100-000 | \$11,356.00 | \$12,183.54 | \$12,183.54 | \$4,813.55 |
| 3 | Commerce Bank | 7100-000 | \$10,601.00 | \$11,162.28 | \$0.00 | \$0.00 |
| 4 | Capital One, N.A. | 7100-000 | \$9,055.00 | \$9,496.03 | \$0.00 | \$0.00 |
| 5 | TD Bank, USA by American InfoSource LP as agent | 7100-000 | \$3,107.00 | \$3,134.94 | \$0.00 | \$0.00 |
| 6 | PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services | 7100-000 | \$3,959.00 | \$4,549.39 | \$4,549.39 | \$1,797.40 |
| 7 | PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services | 7100-000 | \$18,276.00 | \$18,472.96 | \$0.00 | \$0.00 |
| 8 | Capital One, N.A. c/o Becket and Lee LLP | 7100-000 | \$0.00 | \$122.69 | \$0.00 | \$0.00 |
| 9 | PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services | 7100-000 | \$297.00 | \$367.86 | \$367.86 | \$145.34 |
| 10 | American Express Bank, FSB c/o Becket and Lee LLP | 7100-000 | \$4,671.00 | \$4,868.90 | \$0.00 | \$0.00 |
| 11 | American Express Centurion Bank c/o Becket and Lee LLP | 7100-000 | \$282.00 | \$366.50 | \$0.00 | \$0.00 |

| | | | | | | |
|-----|---|----------|-------------|-------------|------------|----------|
| 12 | Synchrony Bank c/o PRA Receivables Management, LLC | 7100-000 | \$3,860.00 | \$3,591.29 | \$0.00 | \$0.00 |
| 13 | Citibank, N.A. | 7100-000 | \$4,489.00 | \$3,754.11 | \$0.00 | \$0.00 |
| 14 | U.S. Department of Education c/o FedLoan Servicing | 7100-000 | \$44,543.00 | \$45,323.75 | \$0.00 | \$0.00 |
| 15 | Portfolio Recovery Associates, LLC Successor to SYNCHRONY BANK (AMAZON.COM STORE CARD) | 7100-000 | \$1,454.00 | \$1,559.24 | \$0.00 | \$0.00 |
| 16 | Portfolio Recovery Associates, LLC Successor to SYNCHRONY BANK (OLD NAVY VISA CARD) | 7100-000 | \$1,487.00 | \$1,694.48 | \$1,694.48 | \$669.47 |
| 17 | Portfolio Recovery Associates, LLC Successor to SYNCHRONY BANK (SAMS CLUB MASTERCARD) | 7100-000 | \$429.00 | \$569.46 | \$0.00 | \$0.00 |
| N/F | BK OF AMER | 7100-000 | \$27,984.00 | NA | NA | NA |
| N/F | BK OF AMER | 7100-000 | \$12,361.00 | NA | NA | NA |
| N/F | CBNA | 7100-000 | \$3,532.00 | NA | NA | NA |
| N/F | COMENITY BANK/Torrid | 7100-000 | \$825.00 | NA | NA | NA |
| N/F | Chase CARD | 7100-000 | \$18,101.00 | NA | NA | NA |
| N/F | Chase CARD | 7100-000 | \$0.00 | NA | NA | NA |
| N/F | Chase CARD | 7100-000 | \$2,235.00 | NA | NA | NA |
| N/F | Kohls/Capone | 7100-000 | \$55.00 | NA | NA | NA |
| N/F | Kohls/Capone | 7100-000 | \$842.00 | NA | NA | NA |
| N/F | Nordstrom/TD | 7100-000 | \$9,844.00 | NA | NA | NA |

| | | | | | | |
|---|-----------------|----------|---------------------|---------------------|--------------------|--------------------|
| N/F | Syncb/Citgo | 7100-000 | \$25.00 | NA | NA | NA |
| N/F | Syncb/SAMS CLUB | 7100-000 | \$49.00 | NA | NA | NA |
| TOTAL GENERAL UNSECURED CLAIMS | | | \$207,878.00 | \$136,051.76 | \$33,629.61 | \$13,286.61 |

Form 1**Individual Estate Property Record and Report**

Exhibit 8

Page: 1

Asset Cases**Case No.:** 17-10253**Case Name:** CUNNINGHAM, JOSHUA ALLEN
CUNNINGHAM, AMY JASURDA**Trustee Name:** (330720) Richard M. Fogel**Date Filed (f) or Converted (c):** 03/31/2017 (f)**§ 341(a) Meeting Date:** 05/15/2017**For Period Ending:** 04/03/2018**Claims Bar Date:** 09/14/2017

| 1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. # | 2 Petition/ Unscheduled Values | 3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | 4 Property Formally Abandoned OA=§554(a) abandon. | 5 Sale/Funds Received by the Estate | 6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
|--|---|---|---|--|--|
| 1 Real Property 414 Rambler, Streamwood, IL 60107 Single-family home Entire property value: \$150,000.00. Co-owned with ex-boyfriend. Sale of estate's interest in property approved per order of court dated 7/31/17. | 75,000.00 | 7,055.50 | | 90,500.00 | FA |
| 2 Automobile 2016 Subaru Outback, 17,000 miles. NO EQUITY/CLAIMED AS EXEMPT PROPERTY | 29,400.00 | 0.00 | | 0.00 | FA |
| 3 Automobile 2015 Nissan Murano, 19,000 miles. NO EQUITY/CLAIMED AS EXEMPT PROPERTY | 29,875.00 | 0.00 | | 0.00 | FA |
| 4 Household Goods Furniture, linens, small appliances, table & chairs, bedroom set- CLAIMED AS EXEMPT PROPERTY | 2,000.00 | 0.00 | | 0.00 | FA |
| 5 Electronics 4 TVs, 2 DVD player, 13 video game systems, stereo, 2 computers, 2 tablets, 2 cell phones, 200 video games- CLAIMED AS EXEMPT PROPERTY | 3,000.00 | 0.00 | | 0.00 | FA |
| 6 Wearing Apparel Everyday clothes, shoes, accessories- CLAIMED AS EXEMPT PROPERTY | 300.00 | 0.00 | | 0.00 | FA |
| 7 Jewelry Wedding rings- CLAIMED AS EXEMPT PROPERTY | 2,400.00 | 0.00 | | 0.00 | FA |
| 8 Health aids BS-Tester, Albuterol Pump, Nebulizer- INCONSEQUENTIAL VALUE | 0.00 | 0.00 | | 0.00 | FA |
| 9 Cash Cash | 0.00 | 0.00 | | 0.00 | FA |
| 10 Bank Account Savings Account: Allied Bank | 0.00 | 0.00 | | 0.00 | FA |
| 11 Bank Account Savings Account: Chase- CLAIMED AS EXEMPT PROPERTY | 50.00 | 0.00 | | 0.00 | FA |
| 12 Bank Account Checking Account: Chase- CLAIMED AS EXEMPT PROPERTY | 984.00 | 0.00 | | 0.00 | FA |
| 13 Bank Account Checking Account: Allied Bank-CLAIMED AS EXEMPT PROPERTY | 1,132.00 | 0.00 | | 0.00 | FA |
| 14 Bank Account Checking Account: Chase- CLAIMED AS EXEMPT PROPERTY | 3,802.00 | 0.00 | | 0.00 | FA |
| 15 Past due child support CLAIMED AS EXEMPT PROPERTY | 6,000.00 | 0.00 | | 0.00 | FA |

Form 1

**Individual Estate Property Record and Report
Asset Cases**

Exhibit 8

Page: 2

Case No.: 17-10253

Case Name: CUNNINGHAM, JOSHUA ALLEN
CUNNINGHAM, AMY JASURDA

Trustee Name: (330720) Richard M. Fogel

Date Filed (f) or Converted (c): 03/31/2017 (f)

§ 341(a) Meeting Date: 05/15/2017

For Period Ending: 04/03/2018

Claims Bar Date: 09/14/2017

| 1 Asset Description (Scheduled And Unscheduled (u) Property) | | 2 Petition/ Unscheduled Values | 3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | 4 Property Formally Abandoned OA=\$554(a) abandon. | 5 Sale/Funds Received by the Estate | 6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
|--|---|---|---|--|--|--|
| Ref. # | | | | | | |
| 16 | Insurance policy Term life insurance for son \$0 cash value- CLAIMED AS EXEMPT PROPERTY | 0.00 | 0.00 | | 0.00 | FA |
| 16 | Assets Totals (Excluding unknown values) | \$153,943.00 | \$7,055.50 | | \$90,500.00 | \$0.00 |

Major Activities Affecting Case Closing:

3/31/18- TFR filed 1/18/18

Initial Projected Date Of Final Report (TFR): 12/30/2017

Current Projected Date Of Final Report (TFR): 01/18/2018 (Actual)

Form 2Exhibit 9
Page: 1**Cash Receipts And Disbursements Record**

Case No.: 17-10253
Case Name: CUNNINGHAM, JOSHUA ALLEN
 CUNNINGHAM, AMY JASURDA

Trustee Name: Richard M. Fogel (330720)

Bank Name: Rabobank, N.A.

Account #: *****9100 Checking

Taxpayer ID #: **-***3360

Blanket Bond (per case limit): \$5,000,000.00

For Period Ending: 04/03/2018

Separate Bond (if applicable): N/A

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|-------------|-----------------|---|---|--------------------|------------|-----------------|-----------------|
| Trans. Date | Check or Ref. # | Paid To / Received From | Description of Transaction | Uniform Tran. Code | Deposit \$ | Disbursement \$ | Account Balance |
| 08/07/17 | | CHICAGO TITLE AND TRUST CO fbo JAMES BAILEY | Proceeds of sale per o/c 7-31-17 | | 22,598.87 | | 22,598.87 |
| | {1} | CHICAGO TITLE AND TRUST CO fbo JAMES BAILEY | Proceeds of sale (50%) per o/c 7-31-17 \$90,500.00 | 1110-000 | | | 22,598.87 |
| | | | Proration for county real estate taxes (50%) -\$1,500.36 | 2820-000 | | | 22,598.87 |
| | | | Title insurance (50%) -\$959.00 | 2500-000 | | | 22,598.87 |
| | | | County and state transfer taxes (50%) -\$135.75 | 2820-000 | | | 22,598.87 |
| | | Wells Fargo Home Mortgage | Payoff of First Mortgage (50%) -\$57,581.55 | 4110-000 | | | 22,598.87 |
| | | Keller Williams Infnit | Listing broker commission (50%) -\$3,305.00 | 3510-000 | | | 22,598.87 |
| | | Baird & Warner | Buyer's broker commission (50%) -\$2,125.00 | 3510-000 | | | 22,598.87 |
| | | | Other closing costs (50%) -\$2,294.47 | 2500-000 | | | 22,598.87 |
| 08/31/17 | | Rabobank, N.A. | Bank and Technology Services Fees | 2600-000 | | 24.92 | 22,573.95 |
| 09/29/17 | | Rabobank, N.A. | Bank and Technology Services Fees | 2600-000 | | 31.38 | 22,542.57 |
| 10/31/17 | | Rabobank, N.A. | Bank and Technology Services Fees | 2600-000 | | 34.58 | 22,507.99 |
| 11/30/17 | | Rabobank, N.A. | Bank and Technology Services Fees | 2600-000 | | 32.37 | 22,475.62 |
| 02/28/18 | 101 | Richard M. Fogel | Distribution payment - Dividend paid at 100.00% of \$7,775.00; Claim # FEE; Filed: \$7,775.00 | 2100-000 | | 7,775.00 | 14,700.62 |
| 02/28/18 | 102 | Richard M. Fogel | Distribution payment - Dividend paid at 100.00% of \$190.01; Claim # TE; Filed: \$190.01 | 2200-000 | | 190.01 | 14,510.61 |
| 02/28/18 | 103 | Kutchins, Robbins & Diamond, Ltd. | Distribution payment - Dividend paid at 100.00% of \$1,224.00; Claim # ; Filed: \$1,224.00 | 3410-000 | | 1,224.00 | 13,286.61 |
| 02/28/18 | 104 | TD Bank, USA by American InfoSource LP as agent | Distribution payment - Dividend paid at 39.51% of \$14,834.34; Claim # 1; Filed: \$14,834.34 | 7100-000 | | 5,860.85 | 7,425.76 |
| 02/28/18 | 105 | Discover Bank Discover Products Inc | Distribution payment - Dividend paid at 39.51% of \$12,183.54; Claim # 2; Filed: \$12,183.54 | 7100-000 | | 4,813.55 | 2,612.21 |

Page Subtotals: **\$22,598.87** **\$19,986.66**

Form 2

Exhibit 9

Page: 2

Cash Receipts And Disbursements Record

Case No.: 17-10253
Case Name: CUNNINGHAM, JOSHUA ALLEN
 CUNNINGHAM, AMY JASURDA

Trustee Name: Richard M. Fogel (330720)

Bank Name: Rabobank, N.A.

Account #: *****9100 Checking

Taxpayer ID #: **-***3360

Blanket Bond (per case limit): \$5,000,000.00

For Period Ending: 04/03/2018

Separate Bond (if applicable): N/A

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|-------------|-----------------|---|---|--------------------|------------|-----------------|-----------------|
| Trans. Date | Check or Ref. # | Paid To / Received From | Description of Transaction | Uniform Tran. Code | Deposit \$ | Disbursement \$ | Account Balance |
| 02/28/18 | 106 | PYOD, LLC,as assignee of Citibank, N.A. Resurgent Capital Services | Distribution payment - Dividend paid at 39.51% of \$4,549.39; Claim # 6; Filed: \$4,549.39 | 7100-000 | | 1,797.40 | 814.81 |
| 02/28/18 | 107 | PYOD, LLC ,as assignee of Citibank, N.A. Resurgent Capital Services | Distribution payment - Dividend paid at 39.51% of \$367.86; Claim # 9; Filed: \$367.86 | 7100-000 | | 145.34 | 669.47 |
| 02/28/18 | 108 | Portfolio Recovery Associates, LLC , as successor to | Distribution payment - Dividend paid at 39.51% of \$1,694.48; Claim # 16; Filed: \$1,694.48 | 7100-000 | | 669.47 | 0.00 |

COLUMN TOTALS**22,598.87****22,598.87****\$0.00**

Less: Bank Transfers/CDs

0.00

0.00

Subtotal**22,598.87****22,598.87**

Less: Payments to Debtors

0.00

NET Receipts / Disbursements**22,598.87****22,598.87**

Form 2

Exhibit 9
Page: 3

Cash Receipts And Disbursements Record

Case No.: 17-10253
Case Name: CUNNINGHAM, JOSHUA ALLEN
CUNNINGHAM, AMY JASURDA
Taxpayer ID #: **_***3360
For Period Ending: 04/03/2018

Trustee Name: Richard M. Fogel (330720)
Bank Name: Rabobank, N.A.
Account #: *****9100 Checking
Blanket Bond (per case limit): \$5,000,000.00
Separate Bond (if applicable): N/A

| TOTAL - ALL ACCOUNTS | NET DEPOSITS | NET DISBURSEMENTS | ACCOUNT BALANCES |
|-----------------------------|---------------------|--------------------------|-------------------------|
| *****9100 Checking | \$22,598.87 | \$22,598.87 | \$0.00 |
| | \$22,598.87 | \$22,598.87 | \$0.00 |